

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:17-cv-00080-MR**

TUSHKAHUMOC XELUP,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
ROBERT TODD WHITE, et al.,)	
)	
Defendant.)	
<hr/>)	

THIS MATTER comes before the Court *sua sponte*.

On February 24, 2017, the Plaintiff filed a Complaint and an Application to proceed without having to prepay the costs associated with prosecuting the matter. [Docs. 1, 2]. On March 24, 2017, the Court denied the Plaintiff's Application to proceed *in forma pauperis* without prejudice and gave the Plaintiff thirty (30) days to file an Amended Application. [Doc. 5]. In the Order, the Court warned the Plaintiff that failure to file an Amended Application within thirty (30) days of the entry of the Order denying his application would result in the dismissal of this action without prejudice. [Id.].

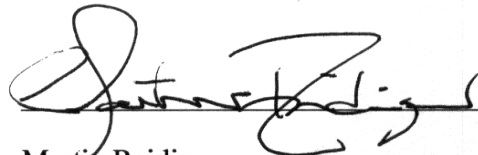
More than thirty (30) days have now passed since the entry of the Court's Order denying the Plaintiff's Application, and the Plaintiff has failed to pay the filing fee or file an Amended Application as required.

Accordingly, **IT IS, THEREFORE, ORDERED** that this case is hereby
DISMISSED WITHOUT PREJUDICE.

The Clerk of Court is directed to close this case.

IT IS SO ORDERED.

Signed: May 1, 2017


Martin Reidinger
United States District Judge

